

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RAYMOND ROKICKI JR.,	x	
Plaintiff,	:	CIVIL ACTION No.: 11-cv-2268
v.	:	Hon. Joseph A. Dickson U.S.M.J.
	:	
NORFOLK SOUTHERN RAILWAY COMPANY;:		ATTORNEY DECLARATION OF
ABC CORPS. 1 - 10 (Fictitious:		MICHAEL J. RANKIN, ESQ IN
entities); JOHN DOES 1 - 10:		SUPPORT OF DISCOVERY
(Fictitious names),	:	<u>CONFIDENTIALITY ORDER</u>
	:	
Defendants.	x	

Michael J. Rankin, Esq. hereby declares as follows:

1. I am an associate of the firm Landman Corsi Ballaine & Ford P.C., attorneys for defendant Norfolk Southern Corporation, improperly pled as Norfolk Southern Railway Company ("Norfolk Southern") in the above-captioned matter.

2. Pursuant to the Honorable Joseph A. Dickson, U.S.M.J.'s November 3, 2011 Pretrial Scheduling Order and Local Rule 5.3, I submit this declaration in support of the Discovery Confidentiality Order that the parties are jointly submitting to the Court for signature.

3. Plaintiff has brought a Title VII, 42 U.S.C. 2000e, et al., and New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq., action against Norfolk Southern alleging that Norfolk Southern discriminated against plaintiff by not promoting him to the Equal Employment Opportunity ("EEO") Officer position because of his race.

4. Discovery that needs to be produced by Norfolk Southern relevant to the claims made by plaintiff includes documents that will reveal personal information of its employees.

5. Particularly, Norfolk Southern will be required to produce documents relating to the interview process for the EEO officer position, including documentation/information on all Norfolk Southern applicants for the EEO officer position and documentation/information on the person who ultimately received the EEO officer position.

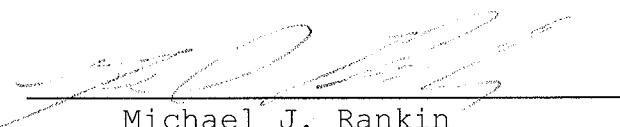
6. Documents to be produced contain Norfolk Southern employee's educational and employment background, salaries, social security numbers, phone numbers and home address.

7. Discovery is also expected to reveal discussions about the strengths and weaknesses of each applicant for the EEO officer position that could be embarrassing to the person.

8. The purpose of the proposed consent order is to allow plaintiff full access to this information while at the same time ensuring that personal information relating to other employees would not be distributed inappropriately.

9. For these reasons, we believe good cause exists for entry of this Discovery Confidentiality Order.

I hereby declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.



Michael J. Rankin

Dated: December 19, 2011